



Montana Department of Corrections
Victim-Offender Dialogue

ACKNOWLEDGMENT OF UNDERSTANDING

PURPOSE: To provide victims of felony crime the opportunity to (1) participate in a structured face-to-face meeting with their offender(s) in a safe environment, (2) tell their story, (3) ask questions about the crime that only the offender can answer, and (4) begin to heal from the trauma of being victimized so they can move forward with their lives.

DISCUSSION: Victim-Offender Dialogue can be an effective way to facilitate justice. Success, however, will depend on the victims' and offenders' personal experiences, expectations, perceptions, background, age, maturity, sensitivity, honesty, openness, level and nature of support, relationship to each other (if any), and degree to which they acknowledge or deny their past and present circumstances and feelings. The type or frequency of the crime also is important.

GOALS:

1. The primary program goal is to provide victims the opportunity to confront offenders about the trauma they caused, and to move forward with their lives.
 - Express directly to the offender current and repressed feelings about the crime, such as fear, anxiety, anger, loss, sadness and helplessness.
 - Tell their story – “The one you injured or killed was a real person with hopes and dreams.” “The property you stole or damaged was important to us because...”
 - Ask questions and receive answers and insight that only the offender can provide.
 - Experience a sense of empowerment by having a direct voice and participation in the process of restorative justice.
2. A secondary outcome might be that offenders face the full human impact of their crimes.
 - Hear first-hand the depth of trauma experienced by the victim.
 - Express remorse related to their offense and its resulting impact, in an effort to help heal the harm they caused.
 - Honestly answer questions about the crime for the sole purpose of helping the victim.

PROGRAM POLICIES:

1. Victim-Offender Dialogue will be initiated by the Department of Corrections at the request of a victim. Offenders may not initiate the process.
2. Participation is voluntary. Either the victim or the offender can discontinue the Victim-Offender Dialogue at any time.
3. Department of Corrections staff will determine on a case-by-case basis if Victim-Offender Dialogue is appropriate for the particular victim and offender. The decision whether to bring the victim and offender together for a face-to-face meeting will be made by the facilitator with the approval of the Victim Programs Manager (VPM).
4. The VPM generally will not approve Victim-Offender Dialogue in cases of domestic violence or stalking. Exceptions may be approved after consultation with the facility VIO, offender

treatment and programming staff and the victim's counselor, if applicable, to determine potential victim coercion or safety risk.

5. The VPM or the facilitator may terminate the Victim-Offender Dialogue process at any point if the actions or attitudes of the victim or offender are considered disruptive or destructive. Inappropriate motives may include manipulation, physical or emotional harm, revenge or coercion.
6. The victim and the offender must sign a release, relieving the Department of Corrections, the staff and the facilitator(s) from legal liability, and declaring that it is not their intention to cause physical or emotional harm to each other, or to any party associated with the Victim-Offender Dialogue process.
7. In order to participate in Victim-Offender Dialogue, offenders must adhere to all procedures and guidelines. Victims and offenders may not participate if they are involved in legal proceedings, including appeals and civil lawsuits, relating to the crime being discussed.
8. The Victim-Offender Dialogue must focus only on the offense of record for the offender and the related victim.
9. The Victim-Offender Dialogue is a voluntary and personal process between victim and offender, and will not have any bearing on the offender's status in the judicial, appellate or corrections systems. The offender's decision to participate or not participate will not affect his or her prison classification, chance of parole, community supervision status, or chances for a commutation of sentence or clemency.
10. All Department of Corrections records regarding the Victim-Offender Dialogue are confidential and will not become part of the offender's file. Only DOC staff and assigned facilitators will have access to the records. However, disclosure of some records may be required by subpoena or by a decision of the Attorney General under the open records law.
11. All parties declare they are at least 18 years of age and legally competent to sign this affirmation, waiver and release.
12. In order for any aspect of the Victim-Offender Dialogue process to be video/audio recorded, all parties must agree to such a recording and the purpose.
13. Victims and offenders who participate in the Victim-Offender Dialogue must agree to participate in the follow-up and evaluation process.
14. During the preparation and mediation phase of the process, victims and offenders must agree not to engage in relationships with the media (newspapers, periodicals, TV, radio, Internet, etc.). The victim, offender, facilitator, VPM and the Department director or designee, must agree in writing to any exception to this rule.
15. Every reasonable effort will be made to contact and consult with counselors, therapists, pastors, family members and/or other identified support people as requested by the victim and offender in order to provide the safest and most beneficial conditions possible for the Victim-Offender Dialogue.

16. The facilitator will determine the length of each Victim-Offender Dialogue, based on the needs and expectations of the victims.
 17. The facilitator will not attempt to impose his or her solutions or expectations on the victim or offender.
 18. The Department of Corrections does not guarantee any particular outcome for the Victim-Offender Dialogue process.
 19. The Victim-Offender Dialogue process requires the knowledge and consent of the facility administrator responsible for the offender's supervision.
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Acknowledgment of Understanding Affirmation

I acknowledge by my signature my understanding and agreement with the Policies, Purpose, and Goals of the Montana Department of Corrections Victim-Offender Dialogue Program.

Name

Date